

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Shigeru SHIRAI et al. Group Art Unit: 3742  
Appln. No. : 10/596,355 Examiner: T. Campbell  
(National Stage of PCT/JP2004/018389)  
I.A. Filed : December 9, 2004 Confirmation No. : 5577  
For : HEAT EXCHANGER AND WASHING APPARATUS COMPRISING THE  
SAME

**RESPONSE TO RESTRICTION REQUIREMENT WITH TRAVERSE**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In response to the Examiner's restriction requirement dated April 5, 2010, setting a one month period for response extending until May 5, 2010, Applicants elect, with traverse, the invention identified by the Examiner as Group 2, a washing apparatus that uses a heat exchanger, including claims 35-51.

Applicants respectfully traverse the Restriction Requirement. Although the Examiner has couched the requirement for restriction as lacking unity of invention because they are "not so linked as to form a single general inventive concept under PCT Rule 13.1", the Examiner has failed to follow the procedure set forth in MPEP § 1893.03(d) by (a) listing "the different groups of claims" and (2) explaining "why each group lacks unity with each other group (*i.e.*, why there is no single inventive concept) specifically describing the unique special technical feature in each group". The Examiner has recognized that the present application is a national stage (filed under 35 U.S.C. § 371) application and has made the requirement purportedly under PCT Rule 13.1,